Office of the City Attorney
3300 Capitol Avenue, Building A | P.O. Box 5006, Fremont, CA 94537-5006
510 284-4030 *ph* | 510 284-4031 *fax* | www.fremont.gov

CITY OF
Fremont

May 17, 2019

<u>*Via email:*</u>
Mr. Cyrus Farivar
Email: Cyrus.Farivar@nbcuni.com

Re: Public Records Act Request Received May 8, 2019

Dear Mr. Farivar:

This letter is in response to your public records request received on May 8, 2019, by the Fremont Police Department for records related to UAV (aka drone) flight logs, and any and all drone-based video and audio recordings captured at 45500 Fremont Blvd, Fremont, CA 94538 from January 1, 2017 (or whenever the earliest such record begins) until this search request is fulfilled.

To the extent that the requests seek documents containing information gathered as part of an individual criminal investigation case file or intelligence file, these records are exempt from disclosure under Government Code Section 6254(f). To the extent the requests seek records that are not part of an individual criminal investigation or intelligence file but would reveal the City's operational/technical strategies, confidential informants, the public interest in not disclosing the information outweighs the public interest in disclosing, since releasing such records to the public would jeopardize public safety, the safety of allied public safety agencies and the ability of the police to safely implement safety and security measures to protect the community. Furthermore, disclosure of this information to the public would allow individuals to defeat or avoid the City's efforts regarding public and officer safety, property protection, and apprehension of fleeing suspects. As a result, this information is exempt from disclosure under Section 6255 and Evidence Code Section 1040(b)(2).

To the extent that the requests seek information that is not contained in identifiable records, the Public Records Act does not impose a duty on the City to create a record to respond to your request.

Notwithstanding the foregoing, the City has located documents that the City believes may be responsive to your requests or of interest to you that the City can disclose. The flight logs are enclosed with this response. However, the video the City has is too large to email. If you would like a copy of the video please remit $9.33 for the video on a thumb drive and $1.00 for mailing. If you would like to view the video, please contact me to set up an appointment.

If there are records you feel should be disclosed notwithstanding this response, or you would like to discuss your requests and this response further, please feel free to contact me at (510) 284-4030.

Very truly yours,

HARVEY E. LEVINE
City Attorney

BRONWEN LACEY
Senior Deputy City Attorney

BL/er

FREMONT POLICE DEPARTMENT
UAS DEPLOYMENT REPORT

RMS Incident number / Case Number 190216030	Mission Date 2/16/2019	Mission Time 2118	Day of Week Saturday	NOTAM filed Yes
Location of Occurrence / Business Name / City, County 45500 Fremont Bl (Tesla)			Shift SW-B	

Activity Type (choose one)	Weather Conditions (choose all that apply)
☐Public Safety/ Police Related ☐Assist Other Agency ☐CBRNE Incident (Chemical,Biological, Radiological, Nuclear, & Explosives) ☐SOTF Assist ☒FFD Assist ☐Disaster Management ☐Emergency Response ☐Enhance Situational Awareness ☒Fire ☐Missing Person ☐Search & Rescue ☐Special Event ☐Traffic Collision ☐Training ☐Water Rescue ☐Other Click here to enter other	☐Daylight ☒Darkness ☐Dawn ☐Dusk ☒Clear ☐Cloudy ☐Foggy ☐Raining ☐Other *(Specify):* ☒Calm ☐Windy *(Specify Wind Speed):* Click here to enter Speedmph

Operation Information

FFD requested PD drone to fly overwatch while they contained a battery fire.

Preplanned Operation: ☒(choose one) Emergency Deployment: ☐	Flight Time 90 mins	Requesting Department/ Supervisor FFD		
UAV Flown Pilot Montojo		Observer Wong	Date 2/16/2019	Time 2118

Modified : 07/24/2018

FREMONT FIRE DEPARTMENT
UAS Pre-Flight Checklist

Arrival Checklist

- ☐ If daytime and operating out of back of vehicle, point vehicle into the sun.
- ☑ File NOTAM
- ☑ Check distance to nearest airport and/or controlled airspace using smartphone or tablet app.
- ☐ If required, use VHF aviation transceiver or telephone to contact ATC (closer than 5NM.)
- ☐ Inform tower of UAS ops, location, and max height of flight

Preflight Checklist

- ☑ Remove transmitter
- ☑ Transmitter "ON"
- ☑ Toggle switch in "P" position
- ☑ IPad "ON"
- ☑ Connect Controller to IPad
- ☐ Remove UAV from case
- ☑ Gimbal lock and lens cap removed
- ☑ Micro-SD card installed
- ☑ UAV battery installed/full
- ☑ Place UAV in clear, safe launch zone for "Return to home"
- ☑ UAV battery "ON"
- ☑ Positive Connection to Controller (green light)
- ☑ DJI app connected to camera
- ☑ If needed, make all connections to the monitor in the back of the Tahoe
- ☑ Satellite connections verified
- ☑ Calibrate GPS

- ☑ Charge levels safe for flight
- ☑ Ensure home is set
- ☑ Takeoff
- ☑ Follow "After takeoff Checklist"

After Takeoff Checklist

- ☑ Hover approximately ten (10) feet above the ground to confirm UAV is under control
- ☑ Verify all controls operate correctly
- ☐ Landing gear "Up" (Inspire)

Pre-Landing Checklist

- ☑ Camera up
- ☐ Landing gear "down" (Inspire)
- ☑ Video Recorder Stopped
- ☑ Landing Zone Clear/Safe

Post-Landing Checklist(Returning to Flight)

- ☐ Battery Removed/Replaced
- ☐ Positive Connection to Controller
- ☐ DJI app connected to camera
- ☐ Takeoff
- ☐ Follow 'After takeoff Checklist"

End of Ops Checklist

- ☑ Battery "Off"
- ☑ Controller "Off"
- ☑ IPad "Off"
- ☑ Secure SD card (Evidence)
- ☑ Notify Tower- End of Operations
- ☑ Secure all equipment

FREMONT FIRE DEPARTMENT
UAS DEPLOYMENT REPORT

RMS Incident number	Mission Date	Mission Time	Day of Week	NOTAM filed
1902028	02/16/2019	2045	Saturday	Yes

Location of Occurrence / Business Name / City, County	Shift	Battalion	
45500 Fremont Blvd	C	Batt 5	

Activity Type (choose one)

- ☐ Assist Other Agency
- ☐ CBRNE Incident (Chemical, Biological, Radiological, Nuclear, & Explosives)
- ☐ SOTF Assist
- ☐ FPD Assist
- ☐ Disaster Management
- ☐ Emergency Response
- ☐ Enhance Situational Awareness
- ☑ Fire
- ☐ Lost Boater
- ☐ Missing Person
- ☐ Search & Rescue
- ☐ Special Event
- ☐ Traffic Collision
- ☐ Training
- ☐ Water Rescue
- ☐ Other

Weather Conditions (choose all that apply)

- ☐ Daylight
- ☑ Darkness
- ☐ Dawn
- ☐ Dusk
- ☐ Clear
- ☑ Cloudy
- ☐ Foggy
- ☐ Raining
- ☐ Other (Specify):
- ☑ Calm
- ☐ Windy
- (Specify Wind Speed): mph

UAS used (Check all that apply)
- ☐ M210
- ☐ Inspire 1
- ☐ Phantom
- ☑ Mavic
- ☑ FLIR
- ☐ Z30

Operation Information

This flight was for a small outside fire at the Tesla plant

Preplanned Operation: ☐ (choose one) Emergency Deployment: ☑	Flight Time 10 min	Requesting Department/ Supervisor FFD		
UAV Flown Pilot J.Kleven		Observer G.Ashley	Date 2/17/19	Time 0900

FFD-385

Edited : 05/28/2018